PRESERVED

App. F. IX-4

1944-5
(Muzrai)

File No. 122-44

Serial Nos. 1-4.

Previous References.

Muz. 73-92.
" 115-16 - (1-8) 8 Aug 1919.
" 366-18 - (1-2) " Feb 1919 ✓
" 126-19 - (1-12) " Aug 1919
" 167-22 - (2-4) " Jany 1923 /

Later References.

" 129-39 - (1-3) " Sept 1940.

Jerusalem Deb 74-46.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Four

Part B for October 1945.

SUBJECT

Appeal of B. Venkatesam and Bros. and B. Lakshminarayana Pais regarding the lease of the Lands endowed to Sri-Gyanadatta, Temple at Bethel.

No 1547-8 dated 21st Sept. 1945.

To the Jerusalem Commissioner
Bethlehem Commissioner Hebron

I am directed to forward herewith the petition of Sahib Saeb for remuneration of Services in the Temple and payment of reserve as fixed by the Jerusalem Commissioner

GENERAL AND REVENUE SECRETARIAT.

(Mux.)

NOTES. File No. 122-44

FILE HEADING.

Appeal of B. Venkataramana Jois, and B Lakshminarayana Jois regarding the ~~temporary~~ inam lands endowed to Sri Ganapati Temple at Belur

FROM

B.Venkataramana Jois, Belur and B Lakshminarayana Jois Bangalore through their Counsel Mr. M. Srinivasa Murthy, Bangalore.

No. — Dated 20th November 1944 Received 21st November 1944

Diary No. 2028/A	Encls. 3	Spare copies —	Serial No. 1

BRIEF ABSTRACT OF LETTER

Appealing against the order of the Inam Commissioner in Appeal No. 20 of 1943-44 dated the 18th August 1944, which, in effect, confirm the order of the D.C., Hassan District as regards the conversion of Sthanika Sri Ganapathi Temple at Belur, a Village institution into a minor Inam institution, appointment of Dharmadarshi and lease of the inam belonging to the temple for a period of ten years.

NOTES AND ORDERS.

The copy of the Order of the M.C. appealed against is for perusal. It is seen therefrom that S.Nos. 179-8 of Belur and S.Nos. 27-30 of Chikkayadagere in Belur Taluk, (measuring in all 7 acres 36 guntas and assessed at Rs. 22/12/-) have been endowed to the temple of Sri Ganapathi at the former place, which was a Village institution. Some residents of Belur having petitioned the D.C. complaining that the Archak, B. Venkataramana Jois, was not performing the daily services in the temple regularly, the matter was enquired into and the parties heard and the D.C. thereupon directed in his order No. D Dis C 928/42-43 dated the 7th August 1943, that the temple lands be leased out to the Archak

NOTES—First Sheet

WD 077 —GPB—5,000—11-9-40

Murai Appeal of B Venkataramana gouds and B. Lakshmiraraya gouds Jaz. the lease of the inam lands endowed to Sri Ganapathy Temple, Perali.

2028/A.

Mur. File No. 122 —— of 1944-5 | General and Revenue Secretariat Page 2

and his brother – the present Appellants – subject to the payment of Rs 15/- per annum towards the Reserve Fund, the renewal of lease in favour of the parties being considered after the expiry of the period of lease, if necessary.

(2) The parties having appealed to the M.C. against the order of the R.C., the former officer reduced the rate of contribution to the Reserve Fund of the Temple, from Rs 15/- to Rs. 8/- per annum, in his order on Murai Appeal No. 20 of 1943-44 dated the 18th August 1944.

(3) It is against the above order of the M.C. that the present appeal has been preferred. Whether this second appeal may be admitted is for consideration.

Subd ? 29/11 (4) The M.C. has not passed any orders on the points now urged. This case may therefore be sent to the M.C. for passing orders in the first instance.

30/11

3366
29/11

(5) Has a D.C. got power to classify a village institution as a minor institution on the ground that its estimated income exceeds Rs 1000/- and fix a scale of income and expenditure?

(6) Does a second appeal lie to Govt in cases like this?

29/11

(7) One of the grounds of appeal is that inam in this case has been granted to the archak and not to the temple. Was this point urged before the D.C and R.C?

(8) Under Clause(1) of Rule 4 of the Rules under the M.R.C.S.Act, the D.C. has power to control all Murrai Institutions in his District as Murrai Officer; and, under Clause(7) of the same Rule he has powers to sanction scales of all minor Murrai Institutions and appoint Dharmadarshis for them.

(9) The D.C. may investigate the resources of all Village Murrai Institutions, and may revise their scales; and if the income of any such institution is found to be Rs 100/= or more per annum, it will have to be classified as a minor Murrai Institution, under Rule 1 C of the Rules. Every D C ~~had, & will have,~~ to submit to the M.C. a quarterly statement regarding the investigation of the resources of Village institutions for the purpose of reclassifying them, if and when necessary, and for revising their scales. This return has since been made half yearly. Therefore a second appeal does not lie to Govt. in cases of conversion of a Village institution into a Minor institution for the reason that the income thereof is Rs. 100/= or more per annum.

(10) As regards the point raised in para 7 supra, Viz., whether the inam was granted to the temple or the archak, it has not been mentioned in the copy of the M C's order appealed against, and the M C. has therefore given no finding on it. The position may

be the same as regards the order of the D.C. If necessary the vernacular records may perhaps be called for and perused. Extract from the Inam Settlement may also be obtained for reference. In the preamble to the M.C's order reference has been made to the lands as having been granted to the possession of the Appellants' father, on behalf of the institution in 1894. This point requires examination.

(11) Another point at issue is whether the income of the institution is such that it has to be classified as a minor institution or not. The D.C. opines that the income may be fixed at Rs. 150/= per annum, and in the estimation of the Amildar it is about Rs. 120/=. If the parties themselves admit that it is not more than Rs. 100/= per annum, they have no case against the reclassification of the institution as a minor muzrai institution, since any institution with an annual income of only Rs. 100/= is liable to be treated as such.

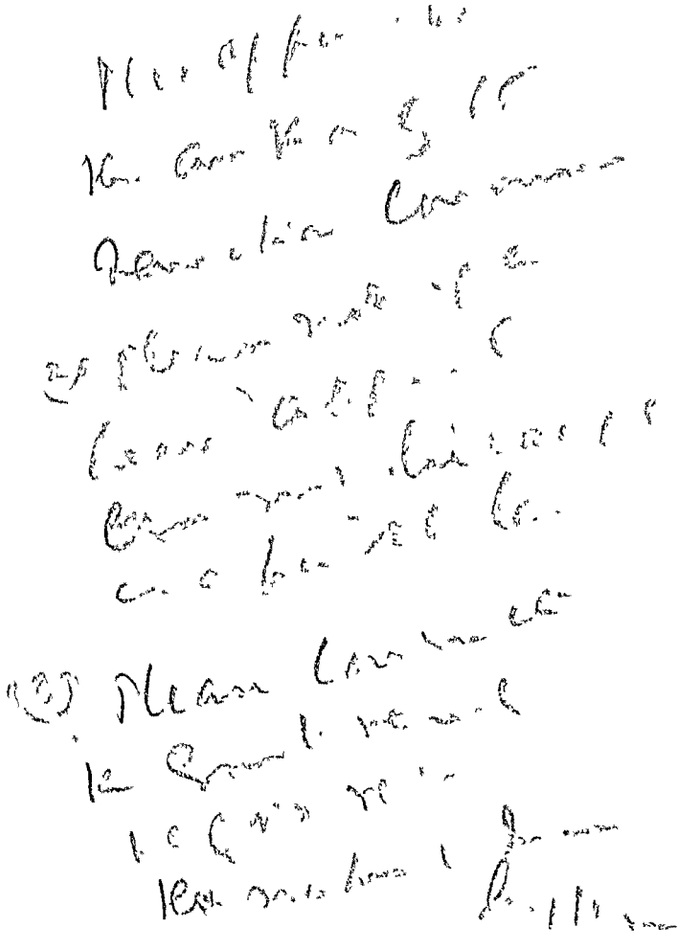
(12) Reference may, in this connection, be invited to the principle laid down in regard to the lease of lands belonging to Muzrai Institutions. — last and penultimate paras of the G.O. dated 25.2.19, relates to Minor Institutions - Pages 233-4 of the Manual

(13) Subs. with reference to paras 5-7 of the notes.

5/12/44

(14) As directed, enquiry was made in the M.C's office and it is learnt that the D.C's of Districts are authorised by a Circular issued by the M.C. to convert Village institutions with income of Rs. 100/= or more per annum into minor institutions. No. 2128-29 D. 21.12.1928.

(15) As no point of law or usage having the force of law is involved



Quit rent Register-I, Belur Taluk.

(1) P. 58. Title deed No. 500 item No. 14 Belur - Ganesh Devasu at near the bridge. Devadaya. For support of the temple Wet. 8 Rs.

Old field No. 140. Old Extent 0-9-13 form assessment Rs. 13-4-0.

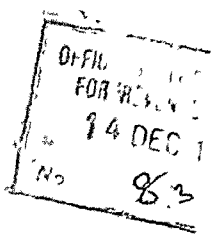
S.No.	Wet	140 part.	1 - 39 - 9 - 8 - 0
"	150		1 - 13 6 - 8 - 0
	151		1 - 29 8 - 4 - 0
		(2)	3 - 2 14 - 12 - 0

Former jodi Rs. 2. not enfranchise no quit rent No inam Devar.

(2) P 110 Chikkaliyadagere - Halebidu. Item No 152 - Title deed No. 499.

The managers for the time being of the Pagela of Ganeshdevaru at near the Belur bridge. Devadaya for the

Old field No	—	Old Extent	—	former Assessment —
Dry.	25	4-26	3-8-0	
Wet	26	1-28	7-0-0	for
		6-14	10-8-0	



Murthi appeal of B. Venkataramana Jois and B. Lakshmi narayan Jois re: the lease of the inam lands endowed to Sri Ganapathi temple, Belur.

2028/R

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no Second appeal lies against an appellate decision of the M.C under Sub section (2) of Section 38 of the Act. The one point for consideration is whether the income of the institution has been computed correctly.

(16) As regards the contention of the parties that the lands were granted to the Archak and not the institution, the Quit rent register discloses the following facts:—

Page 58 – item No. 14 title deed No 500.

Village	S. Nos.	Class.	area A G	assessment R A-P	
Belur.	140 (part)	wet	1-39	9 8-0	Rs. 2/-
	150	-"-	1-13	6-8-0	
	151	-"-	1-29	8-4-0.	
			5-01	24-4-0	

Devadaya lands endowed for support of the temple.

Page 110 – item No 152 – title deed No. 499. godi

Chikkajagere	25	Dry	4-26	3-8-0	nil.
	26	wet	1-28	7-0-0	
			6-14	10-8-0	

Devadaya lands granted to the managers for the time being of the pagoda, for support of the institution.

(17) It is now clear that the lands were endowed to the temple and not to the archak. They are devadaya but not ~~Archaka~~ dāya lands.

Subd 11/12/44 (18) 12/12

(19) I think a point on the points raised above may be called for in the M.C. along with the connected record we may then decide whether it is necessary to treat the appeal as a revision petition

Mr Jois 12/12

18/12

LAW MINISTER
LAW & LAW
DEC 1944
32

(21) Draft Subd.
24/12/44 (22) 22/12

Issued No. R. 4826, dated the 22nd December 1944 [2]

To - the Mwrai Commissioner in Mysore

Calls for a report

SubH 22 12 44.

Letter No M1-C 652/44-45, dated the 17th March 1945. [3]

From the Mwrai Commissioner in Mysore

Furnishes the connected records

Letter No. M1-C 652/44-45, dated the 17th March 1945

From the Mwrai Commissioner in Mysore,

Forwarding the records connected with the case and stating that the facts of the case are contained in the order of the D.C, and of the M.C (in Appeal No. of 43-44, dated 18.8.44).

(23) The records disclose the following facts :-

(24) The temple of Sri Ganapathy, the lands pertaining to which form the subject of the present appeal, was constructed at the time when the work relating to the construction of the bridge across the Yagachi river at Belur was about to be commenced. One of the contractors started the erection of the temple over an idol of Ganapathy brought from the precincts of Sri Chennakeshva Swamy Temple and installed at its present site near the proposed bridge. The father of the appellants is stated to have completed (in 1887) the temple left unfinished by the contractor on account of certain loss incurred by him. Govt directed the grant of certain lands in the neighbourhood of the temple which had been acquired for the construction of the bridge and no longer required for the purpose, as inam, in their orders No 897/Mwr J-73-92, dated the 3rd June 1893 and No 181-2/Mwr.J-73-92, dated the 11th Febr. 1894 ~~orders No 181-2/Mwr.J-73-92 dated 11.9.1894~~.

old S.No		A G	
150	–	1-13	
151	–	1-29	
26	–	1-28	
25	–	4-26	3-8-0 Kayada-gere of Byadagere.

(25) The inam lands as they stand at present, measure in the aggregate 7 acres 36 guntas, assessed at Rs 22 12 0. as

per details mentioned infra. —

Sl. No.	Village	Sy. No.	Class.	Area A G	Assessment R. A. P.
1.	Belur	179.	Wet	0-35	4-4-0
		"	Dry	0-08	0-4-0
2.	"	180	Wet	1-22	8-0-0
3.	Chikbyadagere	27.	Dry	2-37	2-8-0
4.	"	28	Wet	1-04	5-0-0
5.	"	29	"	0-19	2-0-0
6.	"	30	Dry	0-31	0-12-0.
				7-36	22-12-0

In the month of August 1942, certain residents of Belur having applied to the M.C.S. Hassan District requesting that these inam land might be leased out to them for a period of 5 years, the application was sent to the local officers for disposal. As the D.C. had ordered that the question of converting this temple till then treated as a Village institution into a minor one may be examined. the concerned parties were sent for and their statements recorded on the 30th August 1942.

(16) Thanmaiah Setty and other residents of the town stated that the services in the temple were not being conducted regularly and (among other things) that as the estimated income from the temple lands was about Rs. 100/- per annum. they were, in the interest of the temple, prepared to offer a bid of Rs. 150/- if the lands were leased out in auction for a period of 5 years for cultivation. Venkata rama Jois (one of the present appellants) however maintained that pooja was being performed regularly, that the allegation was due to some misunderstandings between the petitioners and himself, that the lands yielded about 19.2. pallas of grains annually, valued at Rs. 80/- that although the petitioners had offered to pay a gutta of Rs. 150/- for the lands his father had incurred considerable expenditure to bring the lands under cultivation. as they were formerly spotted with extensive excavations (effected when the bridge was under construction), that there was no reason to dispossess him of the lands

and that he would pay the necessary amount towards the reserve fund under the rules Subsequently he agreed before the Amildar (on 29 10 42) "C" to contribute Rs 15/- every year to the Reserve Fund of the institution.

(24) The second appellant (brother of the first appellant) has in his petition dated 31 1 43, addressed to the the D C., Hassan Distt., undertaken to contribute "a nominal amount -- fixed as reserve fund

(25) The Amildar reported that the annual income from all sources amounted to Rs 175-6-0 The D.C. having considered that the reports of the local officers were not complete, issued instructions to the S.D.O. Sakleshpur to hold a full Enquiry, Examine the documents, if any, the brothers may produce and send upon exhaustive report. The S D.O accordingly issued notices to both the parties, called for documents relating to the inams and after necessary enquiries reported that the lands in question were continuously in the possession of the present archak's family for over 50 years, that the complaints about the irregularity in the performances of the daily services in the temple were baseless, that after the construction of the Hadhur Channel the inam lands had become valuable as the petitioners had spent a considerable amount of money to improve them and that therefore these lands may be allowed to be continued in the possession of the archak (Venkataramana Jois).

(26) Thereupon the D.C. passed orders on 17 8 1943 in his Memo No. D Dis. C.928/42-43, directing the conversion of the temple into a minor institution basing on the annual income which exceeding Rs 100/-, Viz., Rs 150/- from the lands, Rs 20/- by way of interest on investments and Rs 15/- from the archak.

as contribution towards reserve fund, and (11) the grant to the archak of these lands on lease for a period of 10 years subject to the payment of Rs. 15/- towards the Reserve annually, with the option of obtaining the renewal of the lease after the expiry of the present term.

(30) Soon after the above order of the D.C. was issued, the archak and his brother preferred an appeal to the M.C. The latter having called for a report, the Amildar got the annual income of the temple re-estimated by the villagers, who opined (in their mahazar dated the 19th Nov. 1943) that the dry lands yielded an income of Rs 10/- and the wet lands an income of Rs. 75/- — in all Rs 85/- per annum. In submitting the records the Amildar observed that although the villagers had estimated the annual income pertaining to these lands at Rs 85/-, he was of opinion that it would be more than Rs. 120/- p.a. due to the proximity of the lands to the town and the fertility of land since the advent of the channel. Thereupon the M.C. passed orders on the appeal reducing the reserve payable by the archak from Rs. 15/- to Rs. 8/- p.a.

(31) No point urged in the petition has been answered in the M.C.'s report submitting the records. The chief contention of the parties is that the income estimated by the local officers is incorrect and that, as such, the direction converting the Village institution into a minor one is not in order. Even admitting the estimate of the local people to be correct (in spite of the Amildar's observation to the effect that it is an underestimate), the income of the temple from all sources will be Rs 85/- + Rs 20/- (interest) + Rs 8/- (reserve) = Rs. 113/-. The parties themselves have averred that it was not more than Rs. 100/-. Hence the conversion of the institution is in order and no point of law is involved for admitting a second appeal.

(32) The point raised in para 19 supra is now for consideration.

Subs.
[illegible]
9/44

Lease of the inam lands endowed to Sri Ganapathy Temple at Belur Mun. Appeal

4495/R

(33) [illegible]

N1 4822

(34) [illegible]

U.O.No. 1134/44-45
U.O. Note No 1134/44-45,
Dated the 10th April 1944

N1 652/44-45

Returned with compliments.

(35) Even, according to the estimate of the villagers, the income of the lands will be ₹ 85 per annum. The interest from investments amounts to ₹ 20. Thus, the total income of the institution will be ₹ 105 and the temple should, therefore, be continued as a minor Muzrai institution. It is only on the land income of ₹ 85, a small reserve fund of ₹ 8 (calculated at 10% on the land income) was fixed by me as a matter of concession, and there is no justification to waive the same.

26/4

(36) The Reserve Fund arrangements are usually made for a term of 5 years, so long as the scale fixed for the purpose

Appeal of B. Venkataramana gois and B. Lakshminarayana gois re: the lease of the inam lands endowed to Sri Ganapathy Temple at Belur.

4495/

Serial No.

continues, and the same will have to be suitably revised, periodically, according to the change of income. The period of 10 years' lease, in this particular case, is itself a concession, and the prayer of the petitioners to leave the lands in their possession and enjoyment, indefinitely, is not tenable, and is detrimental to the interest of the institution.

Cdra April 1945. Muzrai Commissioner.

(37) Subd. for orders with refer. to para 33 supra.

26/4/45 27/4 (38) The advocate contends firstly, that this temple should not be treated as a 'minor' institution subject to the control of Dharmadarsis and secondly, that their rights to remain in possession of the lands should not be limited to a lease for 10 years. Although they have no objection to the Board.

(39) From the records it is seen that, even on a conservative

NOTE—Contn. Sheet.

WD 0417—GPB—30,000—S 9 36

Lease of the inam lands endowed to Sri Ganapathy Temple at
Murtai Appeal of B. Venkataramana Jois and B. Lakshminarayana Jois
4495/40

Mur. File No. 122 of 1944-45

General and Revenue Secretariat

Serial No.

estimate the income from lands is Rs 85/- and the investments yield Rs 20 per annum. The Abkaris say that they are aware of the latter income which has now been paid to them. In any case as the total income is over Rs 100/-, the temple has rightly been classed as a "Minor" one. The prayer to continue it as a Village institution cannot be acceded to.

As regards the period of lease, the Abkaris contend that the Inam is granted to the Archaka and not to the institution. This position is not correct. The proceedings relating to the grant clearly show that the grant was made only to the temple & that the Patta was also ordered to be registered in the temple's name (Vide Ge Dy. 4/6/1893) Even the Endorsement Gr. of 21.8.1894 which made the lands Service Inam has made it clear that the lands are the Inam of the temple. The contention that they belong to

Appeal of B. Venkataramana Jois and B. Lakshminarayana Jois
re: the lands belonging to Sri Ganapathi Temple at Belur
4495/R.

Continuation Sheet. Misc File No. ~~Current No.~~ 122 of 1944-45 Page 13

Bank to demand the bond and from the persons liable the arrears due from the lands at their own expense & bring back them to the present condition. The income from them is also not very much being, according to the Rent Law, the assessment which has to be paid by ourselves for the Religious purposes. In these circumstances and in view of the delay of years followed in other cases. Even assuming to resume in leasing the lands with the Arrears (mistake) or a lease of 10 years subject to the condition of performance of Service & payment of reserve, the lands being resumable if the conditions are violated.

(41) The petition cannot be heard

1/5

Sent [illegible] (42) It may be posted

3/5

Sir I have the honour to acknowledge
receipt of your letter No 11 dated 2nd
instant forwarding copy of
Notification
and am returned
herewith
No
2578/45.

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

—

1834

Muzrai Appeal No. 4 of 1944-45

Appellants:		Respondent:
(i) B. Venkataramana Jois (ii) B. Lakshminarayana Jois	VS	Government.

SUBJECT: Regarding the lease of the inam lands endowed to Sri Ganapathi Temple near the bridge at Belur.

Facts of the case.

The temple of Sri Ganapathy, the lands pertaining to which form the subject of the present appeal, was constructed at the time when the work relating to the construction of the bridge across the Yagachi river at Belur was about to be commenced. One of the contractors started the erection of the temple over an idol of Ganapathy brought from the precincts of Sri Chennakeshava Swamy Temple and installed at its present site near the proposed bridge.

Old. S.No.	A.	G.	R.	A.	P.	Village:
150	1	13	6	6	0	Belur.
151	1	29	8	4	10	
26	1	28	7	0	2	Chikbyada-gere of Byadagere.
25	4	26	3	8	0	

The father of the appellants is stated to have completed (in 1887) the temple left unfinished by the contractor on account of certain loss incurred by him. Government directed the grant of certain lands in the neighbourhood of the temple which had been

acquired for the construction of the bridge and no longer required for the purpose, as inam, in their Orders No. 897/Muz. F. 73-92, dated the 3rd June 1893 and No.181-2/ Muz. F. 73-92, dated the 11th September 1894.

The inam lands as they stand at present, measure in the aggregate 7 acres 36 guntas assessed at Rs.22-12-0 as per details mentioned infra.--

Sl. No.	Village:	S.No.	Class.	Area. A. G.	Assessment. R. A. P.
1.	Belur	179	Wet	0 35	4 4 0
		"	Dry	0 08	0 4 0
2.	do	180	Wet	1 22	8 0 0
3.	Chikbyadagere	27	Dry	2 37	2 8 0
4.	do	28	Wet	1 04	5 0 0
5.	do	29	"	0 19	2 0 0
6.	do	30	Dry	0 31	0 12 0
				7 36	22 12 0

In the month of August 1942, certain residents of Belur having applied to the Muzrai Commissioner and Deputy Commissioner, Hassan District, requesting that these inam land might be leased out to them for a period of 5 years, the application was sent to the local Officers for disposal. As the Deputy Commissioner had ordered that the question of converting this temple, till then treated as a village institution, into a minor one may be examined, the concerned parties were sent for and their statements recorded on the 30th August 1942.

Thammaiah Setty and other residents of the town stated that the services in the temple were not being conducted regularly and (among other things) that as the estimated income from the temple lands was about Rs.100/- per annum, they were, in the interest of the temple, prepared to offer a bid of Rs.150/- if the lands were leased out in auction for a period of 5 years for cultivation. Venkataramana Jois (one of the present appellants) however maintained that pooja was

was being performed regularly, that the allegation was due to some misunderstandings between the petitioners and himself, that the lands yielded about 19.2 pallas of grains annually, valued at Rs.80/-, that although the petitioners had offered to pay a gutta of Rs.150/- for these lands his father had incurred considerable expenditure to bring the lands under cultivation, as they were formerly spotted with extensive excavations (affected when the bridge was under construction), that there was no reason to dispossess him of the lands and that he would pay the necessary amount towards the reserve fund under the rules. Subsequently he agreed before the Amildar to contribute Rs.15/- every year to the Reserve Fund of the institution.

The second appellant (brother of the first appellant) has in his petition dated 30-1-1943 addressed to the Deputy Commissioner, Hassan District, undertaken to contribute "a nominal amount .... fixed as reserve fund".

The Amildar reported that the annual income from all sources amounted to Rs.175-6-0. The Deputy Commissioner having considered that the reports of the local Officers were not complete, issued instructions to the Sub-Division Officer Sakleshpur to hold a full enquiry, examine the documents, if any, the brothers may produce and send up an exhaustive report. The Sub-Division Officer accordingly issued notices to both the parties, called for documents relating to the inams and after necessary enquiries reported that the lands question were continuously in the possession of the present archak's family for over 50 years, that the complaints about the irregularity in the performances of the daily services in the temple were baseless, that after the construction of the Kudlur channel the inam lands had become valuable as the petitioners had spent a considerable amount of money to improve them and that therefore these lands may be allowed to be continued in the possession of the archak (Venkataramana Jois).

Thereupon the Deputy Commissioner passed orders on 17-8-1943 in his Memo No.D.Dis.C.928/42-43, directing (i) the conversion of the temple into a minor institution basing on the annual income which exceeding Rs.100/- viz. Rs.150/- from the lands, Rs.20/- by way of interest on investments and Rs.15/- from the archak as contribution towards reserve fund and (ii) the grant to the archak of these lands on lease for a period of 10 years subject to the payment of Rs.15/- towards the Reserve annually, with the option of obtaining the renewal of the lease after the expiry of the present term.

Soon after the above order of the Deputy Commissioner was issued, the archak and his brother preferred an appeal to the Muzrai Commissioner. The latter having called for a report, the Amildar got the annual income of the temple re-estimated by the villagers, who opined (in their mahazar dated the 19th November 1943) that the dry lands yielded an income of Rs.10/- and the wet lands an income of Rs.75/- -- in all Rs. 85/- per annum. In submitting the records, the Amildar observed that although the villagers had estimated the annual income pertaining to these lands at Rs.85/- he was of opinion that it would be more than Rs.120/- per annum due to the proximity of the lands to the town and the fertility of land since the advent of the channel. Thereupon the Muzrai Commissioner passed orders on the appeal reducing the reserve payable by the archak from Rs.15/- to Rs.8/- per annum.

Muzrai Commissioner's remarks.

Even, according to the estimate of the villagers, the income of the lands will be Rs.85 per annum. The interest from investments amounts to Rs.20. Thus, the total income of the institution will be Rs.105 and the temple should, therefore, be continued as a minor Muzrai Institution. It is only on the land income of Rs.85, a small Reserve Fund of Rs.8 (calculated at 10% on the land income) was fixed by me as a matter of concession, and there is no justification to waive the same.

The Reserve Fund arrangements are usually made for a term of 5 years, so long as the scale fixed for the purpose continues, and the same will have to be suitably revised, ~~xxxx~~ periodically, according to the change of income. The period of 10 years' lease, in this particular case, is itself a concession, and the prayer of the petitioners, to leave the lands in their possession and enjoyment, indefinitely, is not tenable, and is detrimental to the interest of the Institution.

Under-Secretary's Note.

The appellants contend firstly, that this temple should not be treated as a 'minor' institution subject to the control of Dharmadarshis and secondly, that their rights to remain in possession of the lands should not be limited to a lease for 10 years. Apparently they have no objection to the Reserve Fund.

From the records it is seen that even on a conservative estimate the ~~xx~~ income from lands is Rs.85/- and the ~~investm~~ investments yield Rs.20/- per annum. The appellants say that they are aware of the latter income which has never been paid to them. In any case as the total income is over Rs. 100/- the temple has rightly been classed as a 'Minor' one. The prayer to continue it as a Village institution cannot be acceded to.

As regards the period of lease, the appellants contend that the inam is granted to the archaks and not to the institution. This position is not correct. The papers relating to the grant clearly show that the grant was made to the temple and that the patta was also ordered to be registered in the temple's name (vide G.O. dated the 4th June 1893). Even the subsequent G.O. of 21st August 1894 which made the lands Sarva Inam has made it clear that the lands are the inam of the temple. The contention that they belong to the archaks can not be conceded. But it

seems to be borne out from the papers that the appellants who have been archaks from the beginning improved the lands at their own expense and brought them to the present condition. The income from them is also not very much being, according to the Muzrai Commissioner, Rs.85/- per annum -- and which hardly suffice for the Nityakatle expenses. In these circumstances and in view of the policy of Government followed in other cases, there seems to be no harm in leaving the lands with the archaks (instead of on a lease of 10 years) subject to the condition of performance of service and payment of reserve, the lands being resumable if the conditions are violated.

General Secretary's remarks.

May be posted.

ORDER

As the income of the institution is in excess of Rs.100/- I see no reason to interfere with the orders of the Deputy Commissioner and the Muzrai Commissioner that it should be treated as a Minor - Institution.

In regard to the order that the lands may be left with the Archak on the basis of lease for a period of ten years subject to payment of a reserve with the option of obtaining the renewal of the lease at the end of this term, I consider that, as in the case of other similar institutions, instead of limiting the period to ten years, the lands may be left with the Archak subject to the condition of satisfactory performance of service in the temple and the payment of the reserve as fixed by the Muzrai Commissioner.

31/8/45

B. Reed 1/9/45

Draft G.O. and endorsement Subd for approval

1 SFP 1945

Ground No. P. 1541-5, dated the 21st September 1945
To the Muzrai Commissioner, Madras.
No. Q. D. 18A

directs that the temple lands be left with the archak subject to the condition of satisfactory performance and payment of reserve as fixed

D R A F T O R D E R.

1334

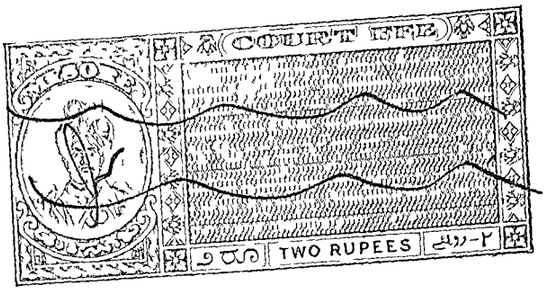
As the income of the institution is in excess of Rs.100/- I see no reason to interfere with the orde·s of the Deputy Commissioner and the Muzrai Commissioner that it should be treated as a Minor institution.

But as ~~regards~~ In regard to the order that the lands may be left with the Archak on the basis of lease for a period of 10 years subject to payment of a reserve with the option of obtaining the renewal of the lease at the end of this term, I consider that, as in the case of other similar institutions, instead of limiting the period to 10 years, the lands may be left with the Archaks subject to the condition of satisfactory performance of service in the temple and the payment of the reserve as fixed by the Muzrai Commissioner.

28/8/45.

29/8

30/8/45



122-44-1.

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE, B A N G A L O R E .

Muzrai Appeal No. 4 of 1944-45.

Appellants:- 1. B. Venkataramana Jois, residing at Fort, Belur.

2. B. Lakshminarayana Jois, retired Sub Judge, residing at No. 49 Second Cross Road, Basevangudi, Bangalore ~~City~~.

Under Section 38(2) of the Mysore Religious Institutions Act the appellants beg leave to appeal against the orders of the Muzrai Commissioner in Mysore, dated 18-8-1944 in Muzrai Appeal No. 20 of 1943-44 on his file:-

Facts of the case:

1). The Sethuve Ganapathi Temple at Belur was a Village Muzrai Institution and the appellants and their ancestors have been the Archaks thereof. The Appellant's ancestors who were the Archaks of the Temple were granted Inam lands mentioned below for performing puja and "looking after the Temple, as per true copies of the Final Title deeds dated 11/12 December 1894. granted by the Superintendent of Surveys and

and Inam Settlement:-

Village.--	S. No.	Kind.	Extent.	Assessment.
Belur.	17[illegible]	Wet.	0-35.	4- 0- 0
	~~180~~	Dry.	0- 8.	0- 4- 0
	180.	Wet.	1-22.	8- 0- 0
Chikka Byadagere.	27.	Dry.	2-37.	2- 8- 0
	30.	Dry.	0-31.	0-12- 0
	28.	Wet.	1- 4.	5- 0- 0
	29.	Wet.	0-19.	2- 0- 0
			7-36.	22-12- 0

2. There was a complaint against the appellants to the Deputy Commissioner by some mischievous people that the puja was not being performed properly. The Amildar and the Sub Division Officer to whom the matter was referred for enquiry, found after investigation and enquiry that the complaint was false, that the puja was regularly being performed by the appellants and reported to the Deputy Commissioner accordingly. The Learned Deputy Commissioner while recording the report of the Amildar and the Sub Division Officer ordered the conversion of the Institution from Village to Minor Muzrai Institution on the ground that the yield from the Inam lands was estimated at Rs.150/- and that the temple got Rs.20/- per annum from certain investments. He also directed the appellants to pay Rs.15/- per annum to the Revenue Fund. He further directed that the Inam lands be leased to the appellants for a period of ten years.

Reserve

3. Against this order of the Deputy Commissioner, the appellants appealed to the Muzrai Commissioner. The principal grounds urged before him were:-

(1) that the Income was exaggerated and it was not more than Rs.100/- per annum; and that there was no justification to convert the Institution to minor Muzrai Institution;

(ii) that having regard to the fact that the temple was being kept in proper condition at the cost of the appellants, and that the puja was regularly being performed they should not be made to contribute anything to the Reserve Fund;

(iii) that there was no justification to limit the lease for 10 years only instead of allowing the appellants to enjoy the Inam lands in lieu of services rendered as before, the appellants and their ancestors having spent, as admitted by the Amildar and the Sub Division Officer, considerable sums of money for making the lands fit for cultivation and for subsequent improvements from year to year.

4. The learned Muzrai Commissioner passed orders reducing the contribution to be made by the appellants from Rs.15/- to Rs.8/- per annum and has not passed any orders in respects of the other questions urged before him. Hence the present appeal.

Grounds of the present Appeal.

1. The Inam Title Deed shows that the inam is granted to the Archaks (Vicharane Kartas) and not to the Institution for services to be rendered as noted therein.

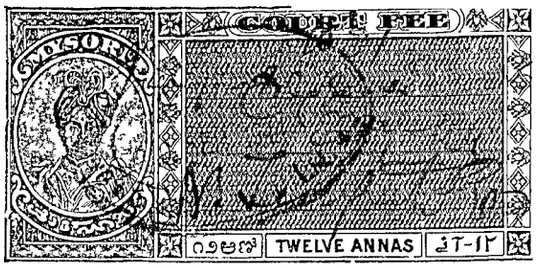
2. The appellants are not aware of the investments referred to by the Deputy Commissioner and they never receive even a single pie out of the alleged interests.

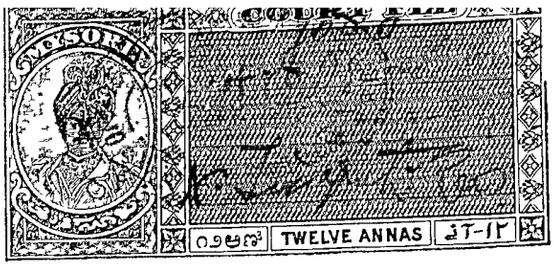
3. The Huzur Commissioner admits that the income from the Inam lands is overestimated. The appellants have shown that the income is ~~xxxxxx txxxxxxxxxxxxxx~~ less than Rs.75/- per annum. Out of this appellants have to pay Government Rs.11-1-3 towards quit rent etc., They therefore submit that the conversion of the Institution to minor Huzur Institution and consequent proposal to appoint Dharmadarsies, and the leasing of the lands to the appellants for a period of ten years are not justified. The G.O. No. 517-25, Huz. 115-16-8 dated 2-6-1917 under which the Deputy Commissioner purports to lease the lands does not apply to a case like the present, viz; the explanation under of page 23 of the Mysore Huzrai Manuel 1 Edition.

Note: Mr Reed of Cuddapah received on 31 Aug proper endorsement Huzur Comm Treat appeals as Final

It is therefore prayed that the order of the Deputy Commissioner, ordering the ~~xxxxxx~~ appointment of Dharmadarsies and the leasing of the lands may be cancelled and the lands allowed to be enjoyed by the appellants as heretofore.

P Punnaiah Chetty. K Lakshminarayana Rao





In the Court of the Muzrai Commissioner in Mysore, Bangalore.

Appeal no. 20/43-44.

OFFICE OF THE MUZRAI COMMISSIONER
20 SEP 1974

Appellants:-
1. B. Venkataramana Dois
Fort, Belur.
2. Mr. B. Lakshminarayana Dois, B.A., L.L.B., Retired Subjudge, Bangalore city.

Respondent:-
Government

Subject

This is an appeal against the order of the Deputy Commissioner, Hassan, District, sanctioning the Lease Right of the Inam Lands of the Sri Sethuvee Ganapathi Temple at Belur, in favour of the archak, for a period of ten years from 1943-44, subject to the payment of Rs 15/- P.a., towards Reserve Fund.

Facts of the Case

The Sri Sethuvee Ganapathi Temple at Belur, which was a village Muzrai Institution, has, since been converted into a minor ~~Institution~~ institution by the Deputy Commissioner, Hassan District. It is endowed with the marginally noted inam lands for its support, as per G.O. No. 181-2/8-73-92 dated 11th September 1894. Besides this,

Village.	S.No	Kind.	Extent. A. G.	Assessment. Rs A. P
Belur	179	wet	0-35	6-4-0
		dry	0-8	0-4-0
	180	wet	1-22	8-0-0
Hirkhyadagere	27	dry	2-37	2-8-0
	30	dry	0-31	0-12-0
	28	wet	1-4	5-0-0
	29	wet	0-19	2-0-0
		Total	7-36	22-12-0

Rs 300/- in 5% State Loan Bonds.
Rs 200/- in Savings Bank Fixed Deposit.

the temple has got an income of Rs 20/- per year, from the marginally noted investments.

On 9th August 1942, some of the residents of Belur, petitioned to the Huzrat Commissioner, and the Deputy Commissioner, Hassan District stating that puja, etc., to the above temple was not being performed regularly; that the inam lands endowed to the temple might be leased out in public auction, and that they would bid for them in the sale; and that a scale also might be sanctioned therefor. These petitions were referred to the Amildar, Belur Taluq, for enquiry and report. During enquiry, Thammaiah Setty and others have deposed, on 30th August 1942 before the Amildar, that they are agreeable to bid for the lands for an annual migate of Rs 150/ and that what they represented in the above petitions, is true, etc. Venkataramana Jois the archak of the temple, and one of the appellants has stated in his mahazar, before the Amildar, on 30th August 1942, and, in his petition dated 31st August 1942, that his father, Keshava Jois, spent nearly Rs 1000/- for the completion of the temple building, and spent nearly 4 to 5 thousand rupees towards improving the lands, which were full of pits and quite unfit for cultivation when they were first, given to the possessi of his father, on behalf of the institution, in 18 He has further stated that he has been condu the puja in the temple, regularly, and that the complaint was made by persons who are inimi to him, etc, that his father and he have been in possession of the lands for nearly 50 years, that there is no reason for leasing out the in auction and for disturbing him from their possession.

In his representations to the Deputy Commissioner Mr. Lakshmi-narayana Jois, the second appellant and brother of the archak (1st appellant) has stated the same thing as his brother has stated.

Venkataramana Jois, in his statement before the Amildar, on 29th October 1942, has deposed that he is agreeable to pay a sum of Rs 15/ per year towards Reserve Fund, and that the lands may be left in his possession. Mr. Lakshminarayana Jois has stated in his petition dated 31st January 1943, to the Deputy Commissioner, that they will undertake to effect repairs to the temple, and perform worship systematically, and, if it is found expedient, a nominal amount be fixed as Reserve Fund, and that the lands may be retained in their possession.

The Amildar, thereupon, reported to the Sub division officer, that the Lands might be left in the possession of the archak, subject to the recovery of a Reserve Fund of Rs 15 per year from him, and that lands were valuable in view of the introduction of the Kudlur Channel, and that they might fetch Rs 150 in lease sale, and that a scale for Rs 150 might be fixed. It was, further, reported that puja in the temple was being regularly performed; that the allegations were false; and that the temple building was in good condition. The Sub division officer also held enquiries in the matter, and reported to the Deputy Commissioner, that the lands had been in the uninterrupted possession of the archak and his family, for over fifty years; that they spent much money over them; that the worship was being regularly conducted; and that the question of leasing out the lands might be dropped and that they might be left in his possession for 10 years, subject to the recovery of Rs 15 per year towards Reserve Fund.

It was, further reported that the allegation that the puja was not being done properly, was false, and that it was due to ill-feeling between the archak and the adjoining landholders. The Deputy Commissioner, in his order No. D. Dis. C. 928-42 dated 7-8 43 passed orders sanctioning the lease of the inam lands in favour of the appellants for a period of 10 years, subject to the payment of a Reserve Fund of Rs 15 per annum and performance of worship, as per scale to be sanctioned, paying quit-rent, etc., due to Govt, in view of the archaks having spent a large sum for improving the lands. While passing the above orders, the Deputy Commissioner has observed that it is not permissible to allow the lands on long-term leases or for indefinite periods; and that the period of lease is limited to ten years only, the renewal of the same being considered in their favour, after the expiry of the present period of leases, if necessary.

Against the above order of the Deputy Commissioner, the appellants, B. Venkataramana Dis archak of the temple, and his brother Mr. B. Lakshmarayana Dis, have preferred an appeal before the Huzur Commissioner. The reasons adduced by the appellants are that the income from the inam lands is not Rs 150, as estimated; that the extra income of Rs 20 from the investments on the bonds, should not be taken into account, as it is not paid to them; that the yield from the inam lands is not more than Rs 100 a year, in normal times; and that the archaks are given only half the share of the said income while the other half goes to the tenant, and that even if it is assumed that the income is Rs 150) the land lord's share will be Rs 75/- out of which the quit rent and other government dues have to be paid, and that, therefore, the conversion

9/11

of the institution from village into minor is not proper. They, further, state that the Deputy Commissioner erred in ordering the lands to be leased for ten years only, and the payment of a Reserve Fund, in view of their being in possession of the lands for over fifty years, and of their spending much money over them etc. They add that the Deputy Commissioners opinion that it is not permissible to allow the lands on long-term leases or for indefinite periods, is erroneous, having regard to the policy of government laid down in cases of this kind.

The appellants state that they did not consent to contribute to the Reserve Fund.

They pray that the order of the Deputy Commissioner may be set aside and that the lands may be allowed to be continued in their possession, without the payment of any amount towards the Reserve Fund.

The Deputy Commissioner, while submitting a report on the above petition, states that the income from the inam lands was fixed at Rs 150. per annum, in view of the fact that the lands became fertile by the extension of the Kurdur Channel

As regards the contention of the appellants that they did not give their consent to contribute to the Reserve Fund, the Deputy Commissioner states that their contention is not tenable, as they agreed to it (vide the appellants' statements noted above).

From a mahazar of the villagers since obtained on 19th November 1963, before the Revenue Inspector, it is seen that they have estimated the income from the inam land at Rs 85/- per annum, excluding the share of the tenants who cultivate the lands to the crops. The Amildar is however, of opinion that the income will be more than Rs 120/- as the

Lands are fertile and very near the temple and Belur Town.

Order 18th August 1944

Heard Mr. H Srinivasa Murthi, for the appellant.

I think, that the income from land has been overestimated. The appellants' request for waiving the payment of the reserve cannot be accepted. The reserve is reduced to Rs 8/- per annum

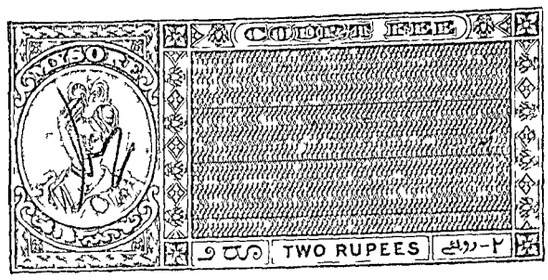
(sd) M. Seshadri.
Muzrai Commissioner

Copy applied on 16-9-44
Copy ready on 19-9-44
Copy delivered on
Number of words. 1523 words.
Copied by. T Chikkanna
Compared by. Thammanniah
Copying fee. 2-0-0
Comparing fee. 0-8-0

"Certified copy"

S Balaraj
I/c Manager,
Office of the Muzrai Commissioner
in Mysore, Bangalore

B C Vedantdesikam Iengar, B A , L.L.B.,
Legal Practitioner



ವ ಕಾ ಲ ತ್ ನಾ ಮೆ

ಕೋರ್ಟ್ ನಲ್ಲಿ

—*194* ನೆಯ ಇಸವಿ.....ನಂಬರು.....

ದಿ(ಅಪ್ಪೀಲೆಂಟ್) ದಿ

(ಎದುರಿ)ಪ್ರತಿವಾದಿ(ರೆಸ್ಪೊಂಡೆಂಟ್) ಅಪರಾಧಿ

ಹಾಸನದಲ್ಲಿರುವ ನ್ಯಾಯವಾದಿಗಳು

ಮಾll ರಾll ಬಿ. ಸಿ. ವೇದಾಂತದೇಶಿಕಂ ಐಯ್ಯಂಗಾರ್, B.A., L.L.B., ಇವರಿಗೆ

.....ಬರೆಸಿಕೊಟ್ಟ ವಕಾಲತ್ ನಾಮೆ.

ಈ ನೊಖದ್ದಮೆಯಲ್ಲಿ ನನ್ನ ಪರವಾಗಿ ತಾವು ಕೋರ್ಟಿಗೆ ಅಪೈರುವರಿವಿಗೂ ಹಾಜರಾಗಿ ಮೊಖದ್ದಮೆ ನಡೆಸುವುದಕ್ಕೂ, ಅರ್ಜಿ ವಗೈರೆ ಕೊಟ್ಟು ವಾದಿಸಿ ಫೈಸಲ್ ಹೂಂದತಕ್ಕ ಬಗ್ಯೂ, ಡಿಕ್ರಿ ಜಾರಿಕ್ರಮ ನಡೆಸತಕ್ಕ ಬಗ್ಯೂ, ದಸ್ತೈವಜು ವಗೈರೆ ತೆಗೆದುಕೊಂಡು ರಸೀದಿ ಕೊಡುವದಕ್ಕೂ, ಕೋರ್ಟಿನಿಂದ ವಾಪಾಸಾಗತಕ್ಕ ದಾವಾನ್ಟಾಂಪು, ಪ್ರೋಸೆಸ್ ಸ್ಟಾಂಪು, ಡಿಕ್ರಿಹಣ, ಜುರ್ಮಾನೆ ವಾಪಸು ಮೊಬಲಗು ಮತ್ತು ನಾಕ್ಷೆಭತ್ಯ ಇತ್ಯಾದಿ ಇತರ ವಿಧವಾದ ಎಲ್ಲಾ ಮೊಬಲಗು ತೆಗೆದುಕೊಳ್ಳೆವುದಕ್ಕೂ ನಹ ತಮಗೆ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ

ಈ ಆಧಾರದ ಮೇಲೆ ತಾವೇ ಆಗಲಿ, ತಮಗೋಸ್ಕರ ಇನ್ಯಾವ ಲಾಯರೇ ಆಗಲಿ ನನಗೋಸ್ಕರ ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ನಡೆಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದು ಇದ್ದು ನಡೆಸಿದಂತೆ ಒಪ್ಪಿ ಇದರಿಂದ ಬದ್ದನಾಗಿರುತ್ತೇನೆ

ತಾll... ... .ಗ್ಕಳ .. } ರುಜು

19/11

ACCEPTED.

25/10/44

20/11/44

ಈ ಮೊಕ್ತ್ಯಾರ್‌ನಾಮೆ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ತರು. ನನ್ನ ಸಮಕ್ಷಮ್ಮ ಇದಕ್ಕೆ ರುಜು ಮಾಡಿದ್ದಾರೆ

No App. No 20/43-44

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Dated Bangalore, 29th August 1944

ENDORSEMENT.

With reference to their appeal petition dated 7th October 1943, appealing against the order of the Deputy Commissioner, Hassan District, sanctioning the lease of lands endowed to Sri Sethu Ganapathi Temple at Belur, for 10 years, in favour of the archak, subject to payment of a Reserve Fund of Rs 15 p.a., and praying that no Reserve Fund need be levied, Messrs. P. Jayminarayana Jois and P. Venkatarama Jois, Belur, through their Counsel, Mr. V. Srinivasamurthi, Advocate, Bangalore, are informed that their request for waiving the payment of reserve amount, cannot be accepted, and it is reduced to Rs 8 p.a.

29/8

For Muzrai Commissioner.

Appendix F. G.—1]

SUBJECT..... Appeal of B. Venkataramana Jois and B. Lakshminarayana Jois re. the lease of the inam lands endowed to Sri Ganapathy Temple Situated near the bridge at Belur.

Section Mysore

File No. 122-44

Serial No. 2

Diary No. of letter replied to.... 2028/R....

No. R. 4326. /encls 4.

To - The Mysore Commissioner in Mysore, Bangalore.

General and Revenue Secretariat

(Mys. Section)

the 21. 12. *1944.*

Sir,

In forwarding herewith in original the petition registered No. 2028/R — Mys. 122-44-1, on the above subject, I am directed to request that a detailed report on all the points urged therein may be furnished with the connected records of your office and those of the subordinate offices

2. The enclosures to the petition accompany.

I have, etc.,

ate of issue... 22-12-44...

Signed by.... Mys. J. K.V.

For Gen. Secy. to Govt.

List of enclosures.....

Copied by.....

Examined by.....

WD 04161—GPB—60,000—24-10-41

RuL95

No.Nl.652/44-45 Office of the Muzrai Commissioner in Mysore,
Bangalore, 17th March 1945.

DEPT. & REV. SECTT. 1945

To

The General Secretary to the Government
of Mysore, Bangalore.

Muzrai 122-44- 3

Sir,

Appeal of B. Venkataramana Jois and B. Lakshminarayana Jois, re. lease of inam lands endowed to Sri Ganapathi Temple, near the Bridge at Belur.

With reference to your letter No.R.4326/Muz.122-44-2 dated 22nd December 1944, calling for a report with the connected records on the above subject, I have the honor to forward herewith a copy of the letter No.M.C.1833/44-45 dated 7th March 1945 from the Deputy Commissioner, Hassan District, together with the marginally noted records** and to state that the facts of the case are fully set forth in the order of the Deputy Commissioner, and this office appeal order No.20/43-44 dated 18th August 1944.

The enclosures received with your letter under reply, are herewith returned.

I have the honor to be,
Sir,
Your most obedient servant,

R Venkatesa
Muzrai Commissioner.

**1) Vernacular file of records ending with Saklespur Sub Dn. Officer's No.C1-C.761/44 dated 12-2-1945.
2) Deputy Commissioner's Office file D.Dis.C.928/42-43
3) Do. R.Dis.C.1438/43-44
4) Muzrai Commissioner's Office App.20/43-44.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Letter No. M.C.1833-44 dated the 7th March 1945 from the Deputy Commissioner, Hassan District, to the Muzrai Commissioner in Mysore.

Re: Appeal of B. Venkataramana Jois and B. Lakshminarayana Jois re: the lease of the Inam lands endowed to Sri Ganapathi Temple situated near the bridge at Belur.

With reference to your letter No.R1.652-27 dated 6th Jan.45 forwarding a copy of letter No.R.4326/Mu4.122-44-2 dated 22nd Dec. 1944 received from the General Secretary to Government on the above subject and calling for a detailed report on the points urged in the appeal petition, I have the honor to enclose herewithnthis office sub files bearing No.R.Dis.C.528 42-43 and R.Dis.C.1478/43-44 and vernacular file of record ~~xxxxxxx~~ ending with Saklespur Sub Division Officer's memo No.C1.C./61-44 dated 12-2-45, for favour of information. The facts of the case are fully set forth in the order passed in this office on 7-8-43 and the order passed by the Muzrai Commissioner in No.App.No.20/43-44. The enclosures received with your letter, are returned as desired.

"Copy"

A Ramachandra 17/3

For Muzrai Commissioner.

2

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Immediate

Memo No. R. 633 Dated, Bangalore the 7 August 1945

Encl 2

The Amildar of Hassan Taluk is directed to intimate to the parties whose names are noted below that the Muzrai case in which they are interested will be heard by the Minister for Agriculture ~~Member of Council~~ at the Old Public Office Buildings, Bangalore on Saturday the 25th August 1945 at 3 p.m. and that they should be present at the time of hearing.

2. The result of action taken on this should be reported to this office and the notices returned duly served before the 14th August 1945

By Order,

T. V. Narasimha Rao

For Secretary to Government,
Financial (Muzrai) Department.

Muzrai Appeal No. 4 of 1944-45

Appellants

(i) B. Venkataramana Jois
(ii) B. Lakshminarayana Jois

Respondent

vs.

Govt.

Subject:- Re: the lease of the inam lands endowed to Sri Ganapathy temple near the bridge at Belur.

Notice to Sri B.C. Vedantdesikam Iyengar, B.A., L.B. Counsel for appellants.

ಸಲ್ಲಿಸಿದೆ

M-S. Rangendiah.
police patel
Hirehalli

ಸಲ್ಲಿಸಿದೆ
24/8/45

submitted

The above shara may kindly be perused

B. Gundegowda
CH
24/8/45.

ಸಲ್ಲಿಸಿದೆ
23/8/45

ಸಲ್ಲಿಸಿದೆ 24-8-45

Forwarded with Supplimentary to the Thasildar Ramanagaram for immediate service, hereby is reported the hearing at Belur.

DPR no 10/45-46

23/8/45.

Thasildar
Ramanagaram

Forwarded to the Head Karkun

Sema: Attn

W3200

Head Karkun
24/8.

DPR 10/45.

Report

Submitted. As the date of hearing is posted for 15-day at Bangalore, the notice can not be served in time. Fresh notice may kindly be sent.

H.S. Narasimha by copy
24/8/45.

Appellant
Plot 41

Report.
Respectfully submitted to the Secretary to Govt Law (Mun) department by order of awarding a fresh date as it is not to adopt

24/8/45
Stm.

M/P/N

ನೋಟೀಸ್.

ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಶ್ರೀಮತ್ ಮಹಾರಾಜರವರ ಗಾರ್ನಮೆಂಟ್ ಫೈನ್ಯಾನ್ಷಿಯಲ್
(ಮುಜರಾಯಿ) ಸೆಕ್ರಟೆರಿಯವರ ಆಫೀಸಿನಿಂದ.

193[illegible]—193[illegible] ನೇ ಇಸವಿಯ ಮುಜರಾಯಿ ಅಪೀಲು ನಂಬರು.....

ವಾದಿ

ಪ್ರತಿವಾದಿ

ವಿಷಯ.

ಮೇಲೆಕಂಡ ಅಪೀಲು [illegible] ಗೆ

ಮುಜರಾಯಿ ಕಮಿಷನರವರ ಹುಕುಮಿನ ಮೇಲೆ ದಾಖಲುಮಾಡಿ ಇರುವ ಮೇಲ್ಕಂಡ ಅಪೀಲು 193[illegible] ನೇ ಇಸವಿ [illegible] ನೇ ತಾರೀಖು.....ದಿವಸ ಬೆಂಗಳೂರು ಮೊಕ್ಕಾಮಿನಲ್ಲಿ ವಿಚಾರಣೆ ಮಾಡಲ್ಪಡುವುದರಿಂದ, ಆ ದಿವಸ ಮಧ್ಯಾಹ್ನ [illegible] ಗಂಟೆಗೆ ನೀವು ಈ ಕಚೇರಿಗೆ ಹಾಜರಾಗಬೇಕು.

ಆ ತಾರೀಖು [illegible] ನೇ ಮಾಹೆ [illegible] 193[illegible] ಇಸವಿ

ಮೊಕ್ಕಾಂ ಬೆಂಗಳೂರು.

By Order,
T. V. Narasimhachar
for Secretary to Govt.
Financial (Muzrai) Dept.

WD 913—GPB—1000 -27-11-33

ನೋಟೀಸ್.

ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಶ್ರೀಮತ್ ಮಹಾರಾಜರವರ ಗಾರ್ನಮೆಂಟ್ ಫೈನ್ಯಾನ್ಷಿಯಲ್
(ಮುಜರಾಯಿ) ಸೆಕ್ರಟೆರಿಯವರ ಆಫೀಸಿನಿಂದ

1934 —1935 ನೇ ಇಸವಿಯ ಮುಜರಾಯಿ ಅಪೀಲು ನಂಬರು..... 4

ವಾದಿ

ಪ್ರತಿವಾದಿ

ವಿಷಯ.

ಮೇಲೆಕಂಡ ಅಪೀಲು ಗೆ

ಮುಜರಾಯಿ ಕಮಿಷನರವರ ಹುಕುಮಿನ ಮೇಲೆ ದಾಖಲುಮಾಡಿ ಇರುವ ಮೇಲ್ಕಂಡ ಅಪೀಲು 1935 ನೇ ಇಸವಿ ಮಾರ್ಚಿ ತಿಂಗಳ 25 ನೇ ತಾರೀಖು ..... ದಿವಸ ಬೆಂಗಳೂರು ಮೊಕ್ಕಾಮಿನಲ್ಲಿ ವಿಚಾರಣೆ ಮಾಡಲ್ಪಡುವುದರಿಂದ, ಆ ದಿವಸ ಮಧ್ಯಾಹ್ನ 2½ ಗಂಟೆಗೆ ನೀವು ಈ ಕಚೇರಿಗೆ ಹಾಜರಾಗಬೇಕು.

ಇ ತಾರೀಖು 7 ನೇ ಮಾಹೆ ಫೆಬ್ರವರಿ 1935 ಇಸವಿ

ಮೊಕ್ಕಾಂ ಬೆಂಗಳೂರು.

By Order,

T. V. Narasimha Rao

for Secretary to Govt.

~~*Financial*~~ (*Muzrai*) *Dept*

WD 913 – GPB—1000 –27 11-33

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Immediate

Memo No. R. 632. Dated, Bangalore the 7 August 1945

The Amildar of Belur Taluk is directed to intimate to the parties whose names are noted below that the Muzrai cases in which they are interested will be heard by the Minister for ~~Member for Agriculture of Council~~ at the Old Public Office Buildings, Bangalore on Saturday the 25th August 1945 at 3 p.m. and that they should be present at the time of hearing.

2. The result of action taken on this should be reported to this office and the notices returned duly served before the 14th August 1945.

By Order,

T. V. Narasimhachar

For Secretary to Government,
~~Financial~~ Law (Muzrai) Department.

Muzrai Appeal No. 4 of 1944-45

Appellants
(i) B. Venkataramana Jois
(ii) B. Lakshminarayana Jois.

Respondent-
vs.
Govt.

Subject :- Re. the lease of the inam lands endowed to Sri Ganapathy temple near the bridge at Belur.

9.8.45

Notice to the 1st Appellant, B. Venkataramana Jois, H.A. Belur

Urgent. DPR o/us's memo.

Returns forwarded to the Revenue for service

Bangalore
9/8/45

ಅರಣ್ಯ ಇಲಾಖೆ ಕಾರ್ಯದರ್ಶಿಗಳವರಿಗೆ ಕೆಳಕಂಡ

ವಿಷಯದ ಬಗ್ಗೆ ಸಂ/15/8/45

ತಾಲೂಕು ಹೊಳೆಹೊನ್ನೂರು

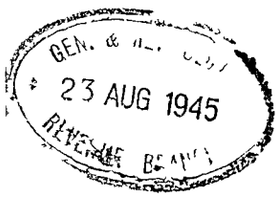
Rv J

DPR no 8/45-46

Report

R 763.

Most respectfully Submitted to the Secretary to govt Law (Mysore) Department for favour of kind perusal, after service.



R Narasimha
Amildar
Bekur Taluk

15/8/45.

ನೋಟೀಸ್.

ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಶ್ರೀಮತ್ ಮಹಾರಾಜರವರ ಗವರ್ನಮೆಂಟ್ ಪ್ಲೆನ್ಯಾಷಿಯಲ್
(ಮುಜರಾಯಿ) ಸೆಕ್ರಟೆರಿಯವರ ಆಫೀಸಿನಿಂದ

1934—1935 ನೇ ಇಸವಿಯ ಮುಜರಾಯಿ ಅಪೀಲು ನಂಬರು.....1.....

ಪ್ರತಿವಾದಿ

ವಾದಿ

(i)

(ii)

ವಿಷಯ

ಗೆ

ಮೇಲೆಕಂಡ ಅಪೀಲು

ಮುಜರಾಯಿ ಕಮಿಷನರವರ ಹುಕುಮಿನ ಮೇಲೆ ದಾಖಲುಮಾಡಿ ಇರುವ ಮೇಲ್ಕಂಡ ಅಪೀಲು 1935 ನೇ ಇಸವಿ ಫೆಬ್ರವರಿ ತಿಂಗಳ 15 ನೇ ತಾರೀಖು ಶುಕ್ರವಾರ ದಿವಸ ಬೆಂಗಳೂರು ಪೊಕ್ಕಾಮಿನಲ್ಲಿ ವಿಚಾರಣೆ ಮಾಡಲ್ಪಡುವುದರಿಂದ, ಆ ದಿವಸ ಮಧ್ಯಾಹ್ನ 3 ಗಂಟೆಗೆ ನೀವು ಈ ಕಚೇರಿಗೆ ಹಾಜರಾಗಬೇಕು.

ಇ ತಾರೀಖು 7 ನೇ ಮಾಹೆ ಜನವರಿ 1935 ಇಸವಿ

ಪೊಕ್ಕಾಂ ಬೆಂಗಳೂರು.

By Order,
T. V. Narasimha Rao
for Secretary to Govt.
Financial (Muzrai) Dept.

WD 913—GPB—1000—27-11-33

ನೋಟೀಸ್.

ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಶ್ರೀಮತ್ ಮಹಾರಾಜರವರ ಗೌರ್ನಮೆಂಟ್ ಫೈನ್ಯಾನ್ಷಿಯಲ್
(ಮುಜರಾಯಿ) ಸೆಕ್ರಟೆರಿಯವರ ಆಫೀಸಿನಿಂದ.

———

19[illegible]—19[illegible] ನೇ ಇಸವಿಯ ಮುಜರಾಯಿ ಅಪೀಲು ನಂಬರು.....

ವಾದಿ

[illegible]

ಪ್ರತಿವಾದಿ

[illegible]

ವಿಷಯ.

[illegible]

———

ಮೇಲೆಕಂಡ ಅಪೀಲು [illegible]

[illegible]

ಗೆ

[illegible]

ಮುಜರಾಯಿ ಕಮಿಷನರವರ ಹುಕುಮಿನ ಮೇಲೆ ದಾಖಲುಮಾಡಿ ಇರುವ ಮೇಲ್ಕಂಡ ಅಪೀಲು 19[illegible] ನೇ ಇಸವಿ [illegible] ನೇ ತಾರೀಖು.....ದಿವಸ ಬೆಂಗಳೂರು ಮೊಕ್ಕಾಮಿನಲ್ಲಿ ವಿಚಾರಣೆ ಮಾಡಲ್ಪಡುವುದರಿಂದ, ಆ ದಿವಸ ಮಧ್ಯಾಹ್ನ [illegible] ಗಂಜೆಗೆ ನೀವು ಈ ಕಚೇರಿಗೆ ಹಾಜರಾಗಬೇಕು.

ಬ ತಾರೀಖು [illegible] ನೇ ಮಾಹೆ [illegible] 193 . . ಇಸವಿ

ಮೊಕ್ಕಾಂ ಬೆಂಗಳೂರು.

By Order,

[illegible]

for Secretary to Govt.
Financial (Muzrai) Dept.

WD 913--GPB—1000 -27-11-33

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

—

Muzrai Appeal No. 4 of 1944-45.

Appellants:

B. Venkataramana Jois
B. Lakshminarayana Jois

VS

Respondent:

Government

Subject: Conversion of Sri Ganapathy Temple at Belur into a minor Muzrai Institution and the lease of the inam lands pertaining thereto.

ORDER NO. R. 1547-8/muz 122-44-6.

DATED, BANGALORE, THE 21st SEPTEMBER 1945.

Facts of the case are noted in detail in the preamble to the Order of the Muzrai Commissioner in Appeal No. 20 of 1943-44, dated the 10th August 1944.

2. The case came up for hearing on the 25th of August 1945, when one of the Appellants and his counsel were present and heard.

3. As the income of the institution is in excess of Rupees one hundred per annum, Government see no reason to interfere with the order directing the conversion of the temple into a minor Muzrai institution.

4. In regard to the Order that the temple lands may be left with the archak on the basis of lease for a period of ten years subject to payment of a reserve

with the option of obtaining the renewal of the lease at the end of this term, Government consider that, as in the case of other similar institutions, instead of limiting the period to ten years, the lands may be left with the archak subject to the condition of satisfactory performance of service in the temple and the payment of the reserve as fixed by the Muzrai Commissioner.

for Secretary to Government,
Law Department.

To

The Muzrai Commissioner in Mysore with the connected records.
The Deputy Commissioner, Hassan District.
Copy to the appellants.

G. R. S. App. F VI—G. 2]

SUBJECT..... ....

... .

.. ..

Diary No. of letter replied to ....4495/R.....

Section Muzrai

File No. 122-AA

Serial No. 4.

General and Revenue Secretariat

(Muz- Section)

the 31st August *1945*.

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue....21-9-.....*1945*.

Signed by .....M S.K.V.

~~Read~~—

Muzrai Appeal No. 4 of 1944-45

Appellants:-

B Venkataramana Jois,

B Lakshmanarayana Jois.

vs.

Respondent:-

Government -

Subject:- Conversion of Sri Ganapathy Temple at Belvai into a minor Muzrai institution and the lease of the inam lands pertaining thereto.

Order thereon—No. R. 1547-8.

Dated the 21. September 1945.

Facts of the Case are noted in detail in the preamble to the order of the Muzrai Commissioner in Appeal No. 20 of 1943-44, dated the 18th August 1944.

2. The Case came up for hearing on the 25th of August 1945, when one of the Appellants and his Counsel were

May this be—

(i) printed?

(ii) *treated as a standing order?*

(iii) published in the Gazette, English Part?

(iv) translated?

(v) *placed at the disposal of the Press?*

(vi) published in the Gazette, Kannada Part?

present and heard.

3. As ~~it is clear that~~ the income of the institution ~~in question~~ is in excess of Rupees One hundred per annum, Govt see no reason to interfere with the order ~~of the Deputy Commissioner, Hassan District~~, directing the conversion of the temple into a minor muzrai institution, ~~which has been upheld by the Muzrai Commissioner~~.

4. In regard to the order that the temple lands may be left with the archak on the basis of lease for a period of ten years subject to payment of a reserve with the option of obtaining the renewal of the lease at the end of this term, Govt consider that, as in the case of other similar institutions ~~instead~~ of limiting the period to ten years, the lands may be left with the Archak subject to the condition of satisfactory performance of service in the temple and the payment of the reserve as fixed by the Muz. Commr.

List of Enclosures

Compared by
Examined by

For Secy. to Govt., Law Dept.

To - The Muzrai Commissioner in Mysore with the connected records
" Deputy Commissioner, Hassan District ~~Copy No 1569. Dy 21-9~~
Copy to advocate for petitioners through their counsel Mr. H. Srinivasa Murthy, B.A., LL.B., Advocate, B.

WD 08696—GPB—30,000—2-2-40

Pages 1-39